

**OFFICE OF ATTORNEY GENERAL****INSURANCE FRAUD SECTION**
TOM CORBETT • ATTORNEY GENERAL
NEWSLETTER

TWO FOUND GUILTY OF INSURANCE FRAUD IN ALLEGHENY COUNTY TRIALS

Disability Fraud



Eileen Totten was found guilty of two counts of Insurance Fraud (F3) and two counts of Theft by Deception (F3) in a trial before Judge David Cashman in Allegheny County.

Eileen Totten collected total disability benefits due to an illness, while she was employed for the Highmark Insurance Company. Totten had worked at Highmark since 1999. She began receiving short-term disability benefits in July 2004. In December 2004, continuing to claim total disability, Totten began receiving long-term disability benefits. Evidence, however, showed that Totten was employed by EHR Scribe full time from October 2004 through February 2005. Nonetheless, Totten reported to Highmark that her treating physicians advised her that she would be unable to return to any type of work. While collecting the total disability benefits, Totten earned approximately \$33,614.

On January 26, 2009, Eileen Totten was sentenced to serve 7 years probation and ordered to pay restitution of \$24,195.80 and all court costs.

Agent Fraud



Rubin Bailey was found guilty of one count of Theft by Failure to Make Required Disposition (F3) and two counts of Forgery (F3) in a trial before Judge Anthony Mariani in Allegheny County.

Rubin Bailey, an associate pastor, was employed as an agent for the Allstate Insurance Company. In 1999, Bailey received \$18,000 from a client for an investment in an Allstate annuity. Bailey was a long-time friend of the client and was known as "Uncle Rubin" by the client's children. In order to reinforce the deception of the theft, Bailey provided the client with verbal assurances and a forged document that purported to be an Allstate statement of the client's annuity account. The money collected by Bailey was never forwarded to Allstate.

On January 8, 2009, Rubin Bailey was sentenced to serve 5 years probation and ordered to pay restitution of \$18,000 and all court costs.



PIKE COUNTY FUGITIVE ARRESTED IN NEVADA



On January 30, 2009, Ian Rosenberg was arrested in Nevada, pursuant to a fugitive warrant. Rosenberg has been charged with one count of Insurance Fraud (F3), one count of Forgery (F3), one count of Criminal Attempt/Theft by Deception (M1) and one count of Tampering with Records (M1).

According to the Criminal Complaint, on December 15, 2007, Rosenberg's vehicle was involved in a one-vehicle accident at Hemlock Farms, a gated community in the Poconos. At the time of the accident, the vehicle was allegedly not insured and had sustained significant damage making it unable to be driven. A public safety officer from the community responded to the scene, prepared an incident report and the vehicle was towed from the scene. On December 20, 2007, following the accident, Rosenberg obtained an automobile policy for the vehicle from the Progressive Insurance Company. Approximately a week later, on December 26, 2007, Rosenberg submitted a claim to the Progressive Insurance Company for the damage to the vehicle and provided them with a copy of an incident report from the Hemlock Farms Public Safety Department.

It is alleged that Rosenberg misrepresented the date of the accident to the Progressive Insurance Company and provided Progressive with an altered incident report from the Hemlock Farms Public Safety Department in an attempt to have the damage to his vehicle covered by the policy. At the time, Rosenberg was working as a dispatcher for the Public Safety Department and had access to the incident reports.

Extradition proceedings to Pike County have been initiated.



- Jason Groff pled guilty to one count of Receiving Stolen Property (F3) and one count of Conspiracy (F3) in Lancaster County. Groff was the proprietor of Cars on Demand, a licensed vehicle dealer. Groff knowingly used his credentials to list stolen motorcycles for sale at the Manheim Auto Auction for another individual who owned and operated a licensed used car dealership which served as a cover for a chop shop specializing in stamping new VINs on stolen motorcycles. VINs were transferred from salvaged motorcycles to approximately twelve stolen motorcycles per year from 2000 to 2005. The stolen motorcycles were then sold to unsuspecting buyers. On January 22, 2009, Jason Groff was sentenced to serve 7 to 23 months incarceration and a consecutive 5 years of probation and was ordered to pay all court costs.
- Shannon White-Crawford pled guilty to one count of Insurance Fraud (F3) and one count of Conspiracy (M1) in Franklin County. Crawford provided false information to the Progressive Insurance Company in support of a vehicle accident claim in an effort to conceal that she was driving the vehicle at a time when she was unlicensed and was an excluded driver on the policy. On January 21, 2009, Shannon White-Crawford was sentenced to serve 3 to 23 months incarceration and consecutive 3 years probation and was ordered to pay all court costs.
- Fernando Podagrosi pled guilty to one count of Insurance Fraud (F3) and Conspiracy (F3) and Jacqueline Mattia pled guilty to one count of Conspiracy (M1) in Philadelphia County. Jacqueline Mattia's parked Cadillac was damaged. She took her car to Fernando Podagrosi to be repaired. When Mattia went to pick up her vehicle, she found additional damages had occurred. Podagrosi and Mattia agreed to falsely tell the Travelers Insurance Company that all of the damage occurred from a single incident of a hit and run driver. Podagrosi and Mattia also conspired to make the false report to the

Philadelphia police involving the accident. Travelers Insurance paid in excess of \$25,000 to the lien holder. On January 6, 2009, Fernando Podagrosi was sentenced to serve 3 years probation, ordered to perform 100 hours of community service and pay restitution of \$12,587.50 and all court costs. On January 14, 2009, Jacqueline Mattia was sentenced to serve 2 years probation and ordered to pay restitution of \$12,587.50 and all court costs.

- Joseph Schmidt entered a guilty plea to one count of Insurance Fraud (F3) and Conspiracy (F3) in Berks County. Schmidt reported his Ford Explorer stolen to the Philadelphia Police Department and the Travelers Insurance Company. The vehicle was located inside a friend's garage via the LoJack recovery device. Schmidt and a friend concocted a plan where the car would be reported stolen and the two would share in the proceeds received from Travelers. On January 9, 2009, Joseph Schmidt was sentenced to serve 3 years probation and ordered to pay a fine of \$500 and all court costs.
- Rosemary Domansky pled guilty to one count of Acquisition of a Controlled Substance by Fraud (F) and one count of Theft (M1) in Montgomery County. Domansky called in 40 prescriptions for Hydrocodone to various pharmacies over the course of a 16 month period in the doctor's name by whom she was employed. The Aetna Insurance Company paid for the prescriptions which Domansky used to support a drug habit she had at the time. On January 8, 2009, Rosemary Domansky was sentenced to serve 3 years probation and ordered to pay restitution of \$1,007.82 and all court costs.
- James Picciano pled guilty to one count of Criminal Attempt/Theft (M1) in Chester County. Picciano obtained an automotive insurance policy from the Progressive Insurance Company on November 19, 2007. On December 28, 2007, Picciano falsely informed Progressive that his vehicle was in an accident on November 20, 2007. On January 13, 2009, James Picciano was sentenced to serve 2 years probation, ordered to perform 75 hours of community service

and to pay a fine of \$500 and all court costs.

- Jamel Dean pled guilty to one count of Insurance Fraud (F3) in Lehigh County. Dean obtained an automobile insurance policy with the Allstate Insurance Company in December of 2006 insuring his Jeep. In January of 2007, he submitted a claim for damages to the Jeep and Allstate paid \$3,445.47 on the claim. The Liberty Mutual Insurance Company had previously insured Dean's Jeep and in November of 2006, paid for the exact same damages that were submitted to Allstate in January of 2007. On January 7, 2009, Jamal Dean was sentenced to serve 2 years probation, ordered to perform 50 hours of community service and to pay restitution of \$3,445.47 and all court costs.
- Lucinda Sites pled guilty to one count of Insurance Fraud (F3) in Franklin County. Sites filed a fraudulent claim with the Westfield Insurance Company stating that her Sunfire was damaged by an unknown vehicle during a hit and run accident. The alleged new damage to Sites' car was the same damage that Sites had claimed a month earlier when her Sunfire was involved in a similar hit and run accident. Sites falsely reported she had the prior damage repaired before the second accident occurred. On January 21, 2009, Lucinda Sites was sentenced to serve 2 years probation, ordered to perform 50 hours of community service and to pay a fine of \$250 and all court costs.
- Kenneth Jones pled guilty to one count of Insurance Fraud (F3) in Philadelphia County. Jones fraudulently claimed to have been injured in an accident. An attorney filed a civil lawsuit on behalf of Jones against the Pennsylvania Financial Responsibility Assigned Claims Plan. Jones, however, was not injured in the accident. On January 9, 2009, Kenneth Jones was sentenced to serve 2 years probation and ordered to pay all court costs.

(ARD) DISPOSITIONS

One additional defendant received Accelerated Rehabilitative Disposition (ARD).